

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DISH NETWORK, L.L.C.,

Plaintiff,

v.

AMERICAN BROADCASTING
COMPANIES, INC., CBS CORPORATION,
FOX ENTERTAINMENT GROUP, INC., FOX
TELEVISION HOLDINGS, INC., FOX
CABLE NETWORK SERVICES, L.L.C., and
NBC UNIVERSAL MEDIA, L.L.C.,

Defendants.

ABC, INC., AMERICAN BROADCASTING
COMPANIES, INC., AND DISNEY
ENTERPRISES, INC.,

Counterclaimants,

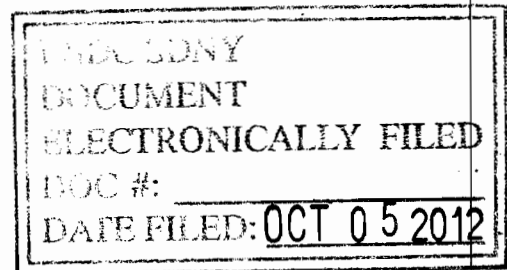
v.

DISH NETWORK CORPORATION, AND
DISH NETWORK, L.L.C.,

Counterclaim Defendants.

Civil Action No.: 12-cv-4155 (LTS)(KNF)

**STIPULATION AND ~~PROPOSED~~
ORDER FOR
DEFENDANTS/COUNTERCLAIM
PLAINTIFFS ABC, INC., AMERICAN
BROADCASTING COMPANIES, INC.,
AND DISNEY ENTERPRISES, INC. TO
FILE AMENDED ANSWER AND
COUNTERCLAIMS TO PLAINTIFF'S
FIRST AMENDED DECLARATORY
JUDGMENT COMPLAINT AND TO
MODIFY THE CASE CAPTION**



The attorneys for Defendants/Counterclaim Plaintiffs ABC, Inc., American Broadcasting Companies, Inc., and Disney Enterprises, Inc. (collectively, "ABC Parties") and Plaintiff/Counterclaim Defendant DISH Network, L.L.C. and Counterclaim Defendant DISH Network Corporation (collectively, "DISH") hereby stipulate and agree as follows:

1. Pursuant to Fed. R. Civ. P. 15(a)(2) and the Pre-Trial Scheduling Order entered in the above-captioned case (ECF No. 103), the ABC Parties may amend their Answer and

Counterclaims by filing the attached proposed Amended Answer and Counterclaims to Plaintiff's First Amended Declaratory Judgment Complaint. This stipulation is made with reservation of all rights by all parties, and by stipulating to permit the ABC Parties to amend their Answer and Counterclaims, no party waives any rights.

2. The name of EchoStar Technologies L.L.C., should be added to the case caption as a Counterclaim Defendant in connection with the ABC Parties' Counterclaims. In their Amended Answer and Counterclaims, the ABC Parties are adding Counterclaims against EchoStar Technologies L.L.C. The case caption of the ABC Parties' proposed Amended Answer and Counterclaims contains EchoStar Technologies L.L.C., and the parties respectfully request that the Court direct the Clerk of the Court to change the case caption in the records of this Court accordingly.

3. The ABC Parties' Answer to Plaintiff's First Amended Declaratory Judgment Complaint and Counterclaims, filed by the ABC Parties on August 31, 2012, is hereby superseded. The parties stipulate and agree that the ABC Parties' Amended Answer and Counterclaims will be deemed to be the Answer and Counterclaims to Plaintiff's First Amended Declaratory Judgment Complaint.

4. The ABC Parties' Amended Answer and Counterclaims, including the modified case caption, is attached hereto as Exhibit 1.

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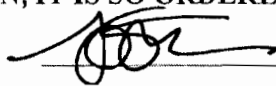
*Attorneys for ABC, Inc., American
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and Disney Enterprises, Inc.*

*Attorneys for DISH Network L.L.C. and DISH
Network Corporation*

Dated October 2, 2012

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 10/4/12



LAURA TAYLOR SWAIN, U.S.D.J

